

95361.113

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

NICOLE A. BRANHAM and
MATTHEW BRANHAM,

Plaintiffs,

v.

LANDAN B. CONKLE,
STS LOGISTICS, INC., and
STS TRANSIT, INC.,
Defendants,

CAUSE NO.: 1:21-cv-208

NOTICE OF REMOVAL

Come now Defendants, Landan B. Conkle, STS Logistics, Inc. and STS Transit, Inc., by counsel, Thomas S. Ehrhardt and Kopka Pinkus Dolin PC, and respectfully notice this Court of the removal of the above-captioned cause from the Jackson Superior Court, State of Indiana, pursuant to 28 U.S.C. Section 1332(a), 28 U.S.C. Section 1441, 28 U.S.C. 1446 and in support thereof state as follows:

1. This action is being removed to the United States District Court for the Southern District of Indiana, Indianapolis Division, on the basis of diversity of citizenship.

2. On December 14, 2020, Plaintiffs filed in the Jackson Superior Court, State of Indiana, a Summons and Complaint in the above-titled civil action under Cause No. 36D01-2012-CT-000075. The entirety of all pleadings, process, orders, and other filings as required by 28 U.S.C. §1446(b) are attached hereto as Exhibit A.

3. A copy of the Complaint and Summons was served upon the Defendant Landan B. Conkle on December 24, 2020. An additional copy of the Complaint and Summons was served upon the Defendant, STS Logistics, Inc. on December 26, 2021 and on STS Transit, Inc.

on December 26, 2020. Pursuant to 28 U.S.C. 1446(b) this Notice of Removal must be filed on or before January 26, 2021.

4. This action is a civil action for which this Honorable Court has jurisdiction pursuant to 28 U.S.C. 1332(a)(1) and 1441(a) and is one that may be removed pursuant to 28 U.S.C. 1441, as Plaintiffs' claimed damages exceed \$75,000.00. The Plaintiffs are citizens of Indiana. Defendant, Landan B. Conkle is a citizen of Ohio. Defendant STS Logistics, Inc. is an Ohio corporation with its principle place of business in Ohio and Defendant STS Transit, Inc. is an Ohio corporation with its principle place of business in Ohio. The Jackson Superior Court is within the venue of the United States District Court for the Southern District of Indiana, Indianapolis Division.

5. This Notice of Removal is being filed pursuant to 28 U.S.C. 1446(b) within the applicable time period for removal and is removable as the time for filing such Notice has not yet expired.

WHEREFORE, Defendants, Landan B. Conkle, STS Logistics, Inc. and STS Transit, Inc, by counsel, respectfully notify this Honorable Court of the removal of this action from the Jackson Superior Court, State of Indiana, to the United States District Court for the Southern District of Indiana, Indianapolis Division, that this Court enter such orders as are appropriate, and for all further just and proper relief in the premises.

Respectfully Submitted,

By: s/Thomas S. Ehrhardt
Thomas S. Ehrhardt (#18621-45)

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CERTIFICATE OF SERVICE

I hereby certify that on 26th day of January, 2021, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system. I also certify that on the 26th day of January, 2021, the foregoing document was served upon the following person(s) via IEFS.

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s/Thomas S. Ehrhardt
Thomas S. Ehrhardt